

REMARKS

Entry of the amendments is respectfully requested. Claims 28 and 36 have been amended to correct typographical errors. Claims 41 has been amended to depend from claim 36. Claims 1, 2, 4-8, 10-14, 16, 23, 25, 26, 28, 29, 31-33, 35-39, 41, and 53-58 are pending in the application.

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Applicants thank both Examiner Subramanian and Examiner Patel for discussing the present application with Applicant's representatives, David Luetzgen and Robert Glance, on July 12, 2004. Applicants submit that the substance of the interview was detailed in an interview summary by Examiner Subramanian, which was provided to both David Luetzgen and Robert Glance on July 14, 2004.

1. Claim Rejections – 35 U.S.C. § 103(a)

Claims 1, 4-8, 10, 28, 31-33, 35, 53 and 54 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Walker et al. ("Walker," US Patent No. 6,088,686). Claims 2, 11-14, 16, 23, 25, 26, 29, 36-39, 41 and 55-58 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Walker in view of Dykstra ("Dykstra," US Patent No. 6,029,149). Applicants respectfully traverse the rejection.

Each of independent claims 1, 11, 23, 26, 28 and 36 include a combination of elements, the combination of which is not taught or suggested by the references cited by the Examiner. For example, each of the independent claims includes features, among other limitations, related to identifying a plurality of approved mortgage products based on the loan application data where the plurality of approved mortgage products are identified using an

automated underwriting engine that generates underwriting recommendations based at least in part on preselected underwriting guidelines of a secondary mortgage market purchaser, calculating a customized interest rate based on the financial information for each of the plurality of approved mortgage products and providing information regarding approval status and the customized interest rate for presentation to the borrower for each of the plurality of approved mortgage products for borrower comparison and selection of one of the plurality of approved mortgage products. Accordingly, a borrower is provided with information such as loan product characteristics (e.g., term, adjustable rate, fixed rate, etc.), customized interest rate, approval status, etc., for each loan product for multiple mortgage products for which the borrower is approved. See, Figures 2q and 2r, Specification, page 15, lines 18-21, page 16, lines 1-3 and page 43, line 15 to page 44, line 2. As discussed previously in the Response filed August 8, 2003, in claim 1, the borrower (or a loan officer acting on the borrower's behalf) is essentially asking "Here is my loan application. What mortgage product can I get approved for?" The borrower may then compare the approved mortgage products (e.g., a 30 year fixed rate, a 20 year fixed rate a 10 year adjustable rate, a 7 year balloon or other mortgage loan product) and associated interest rates and select an approved mortgage product that best fits the borrower's needs. See, Figure 2q and 2r, Specification, page 16, lines 1-3.

In the Office Action dated January 20, 2004, the Examiner does not address the limitations of the independent claims specifically, but rather cites generally to Walker, Abstract, col. 2, lines 1-53, col. 3, lines 37-47, col. 6, lines 16-64 and col. 9, lines 32-65 as showing many of the features of the independent claims. Walker, however, does not teach or suggest, among other features, identifying a plurality of approved mortgage products and providing approval status and customized interest rate information for each of the plurality of approved mortgage products for borrower comparison and selection. Rather, Walker teaches a system which evaluates the credit worthiness of an applicant for a credit product and determines the approval status and price for the credit product requested by the applicant. See, Walker, Abstract, col. 2, lines 16-23, col. 6, lines 39-47 and col. 9, lines 37-39. Although Walker discusses identifying other credit products for which the applicant may be eligible (a "credit qualified offer") based on the credit worthiness of the applicant, the other credit products are identified only as potential cross-sell candidates. See, Walker, col. 2, lines 10-13 and 26-38, col. 11, lines 45-53 and 61-64.

Claims 4-8, 10, 53 and 54 depend from claim 1 and incorporate all of the limitations of claim 1 and are therefore allowable over Walker for, among other reasons, the same reasons as given above with respect to claim 1. Claims 31-33 and 35 depend from amended claim 28 and incorporate all of the limitations of amended claim 28 and are therefore allowable over Walker for, among other reasons, the same reasons as given above with respect to amended claim 28.

Claims 12-14, 16, 55 and 56 depend from claim 11 and incorporate all of the limitations of claim 11 and are therefore allowable over Walker in view of Dykstra for, among other reasons, the same reasons as given above with respect to claim 11. Claim 25 depends from claim 26 and incorporates all of the limitations of claim 26 and is therefore allowable over Walker in view of Dykstra for, among other reasons, the same reasons as given above with respect to claim 23. Claims 57 and 58 depend from claim 26 and incorporate all of the limitations of claim 26 and are therefore allowable over Walker in view of Dykstra for, among other reasons, the same reasons as given above with respect to claims 26. Claims 37-39 and 41 depend from claim 36 and incorporate all of the limitations of claims 26 and are therefore allowable over Walker in view of Dykstra for, among other reasons, the same reasons as given above with respect to claim 36.

Accordingly, claims 1, 2, 4-8, 10, 11-14, 16, 23, 25, 26, 28, 29, 31-33, 35-39, 41, and 53-58 are considered to be in condition for allowance. Withdrawal of the rejection under 35 U.S.C. § 103(a) and allowance of claims 1, 2, 4-8, 10, 11-14, 16, 23, 25, 26, 28, 29, 31-33, 35-39, 41, and 53-58 is respectfully requested.

2. Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

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